

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 5413 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

UNITED INDIA INSURANCE CO.LTD.

Versus

JALIBEN WD/O HARISHBHAI GAMIT

Appearance:

MR RAJNI H MEHTA for Appellant

MR SHAKEEL A QURESHI for Respondent - Claimant

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 25/06/98

ORAL JUDGMENT

The respondent No.3, being the owner/driver of the vehicle, is neither necessary nor appropriate party to this Appeal filed by the Insurance Company and as such his name is ordered to be deleted from the Memo of Appeal.

2. Heard the learned counsel for the parties.

3. This matter is squarely covered by decision given by this Court today in the First Appeal No.5412 of 1997. All the reasons and grounds given for dismissal of the said Appeal are equally applicable to the present case. In the result, this First Appeal fails and the same is dismissed. No order as to costs.

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(sunil)